

Application Serial No. 10/034,041
Final Amendment Dated June 6, 2003
Reply to Office Action Dated March 6, 2003

REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has objected to the drawings. The drawings will be filed in a supplemental amendment as agreed in the telephone interview with the Examiner on June 4, 2003.

The Examiner has objected to the specification. The specification has been amended to overcome this objection.

The Examiner has rejected claims 1, 2, 7, 9 and 10 under 35 U.S.C. 102(b) as being anticipated by Greenway. In addition the Examiner has rejected claims 1, 2, 7, 9 and 10 under 35 U.S.C. 102 (b) as being anticipated by Kristman. The Examiner has rejected claims 1, 2, 7, 9, and 10 as being anticipated by Davis.

Claim 1 has been amended to overcome the above rejections. In addition the applicant has added new claims 11, 12, 13 and 14

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which the applicant believes are patentable over the above cited references.

First, with regard to Greenway, claim 1 has been amended to overcome this rejection. Claim 1 includes the following passage:

a) a base having an entirely continuous exterior surface and

~~b) at least one a plurality of elongated completely uncovered and completely exposed indentations having a surface formed from extending along an said exterior surface of said base for receiving and presenting insecticide;~~

Greenway does not disclose a plurality of elongated indentations having a surface formed from "said exterior surface" of said base. Instead Greenway discloses a plurality of holes 14 which pass entirely through the base. In addition, the other indentation 11 is formed from an inside surface of the base. Therefore, the applicant believes that claim 1 as amended is patentable over the above rejection and reference.

Kristman differs from the above passage wherein the indentations of Kristman are at least partially covered by cover

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B which covers annular flange 2 including corrugations 3. Thus, because the above passage of claim 1, states that the indentations are entirely uncovered and entirely exposed, the applicant believes that claim 1 as written is patentable over the above cited reference.

With regard to Davis, claim 1 as rewritten differs from Davis because with Davis, the indentations which are part of a hollow portion of container 2 are not formed from an outside surface of the base. Rather these indentations of Davis are disposed on an inside portion which would make it much harder for an insect to reach the insecticide. The other indentation is formed from the gap between container 2 and element 8. This indentation is only one indentation and it does not receive or present insecticide. With Davis the insecticide is all disposed inside of container 2.

The applicant believes that the amendments to claim 1 are supported by the subject matter of the drawings as well as the specification particularly the paragraphs starting on page 5 last line, and page 6 line 8.

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The specification has been amended and amended drawings will follow by mail in a supplemental amendment. Claim 1 has been amended. Claims 3-6 and 8 have been withdrawn. New claims 11-14 have been added. Because claims 11-14 are independent claims and the total number of independent claims is now 5, the Commissioner is hereby authorized to charge the additional fee of \$84.00 to Collard & Roe, P.C.'s deposit account of 03-2468 for these two additional independent claims. Accordingly, the applicant respectfully requests early allowance of the remaining claims.

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Respectfully submitted,

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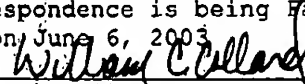
COLLARD & ROE, P.C.

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RWG/mh

Enclosure: Request for Continued Examination.

I hereby certify that this correspondence is being faxed to
Examiner Ark at (703) 306-4195 on June 6, 2003


William Collard